REMARKS

Claims 1-6 and 8-21 are pending in the present application and stand rejected. The Examiner's reconsideration is respectfully requested in view of the following remarks.

The Office Action states that claims 1-4, 6-8 and 9-21 are rejected; it is believed the Office Action intended to state claims 1-4, 6 and 8-21. Thus, it is believed that claims 1-4, 6 and 8-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wiedemer (U.S. Patent No. 5,047,928), in view of Barritz (EP 0 854 421 A1) (hereinafter "Barritz"). The rejection is respectfully traversed.

The Office Action relies on col. 5, lines 47-50 as disclosing "detecting a coupling of a portable storage device to *the CA computer*," as claimed in claim 1. The limitation "CA computer" is repeated throughout independent claims 1, 11 and 16. It is important to note the Wiedemer is completely unrelated to c*ommonly accessible* computer processing systems. Wiedemer is concerned with only a user's access to an application program on a "pay-per-usage" basis. (Wiedemer, col. 1, lines 9-14). Wiedemer does not disclose using the invention to gain access to the personal computer. It seems that Wiedemer assumes complete and unrestricted access to a personal computer, which more resembles a user's own "primary computer processing system" (Applicant's specification, p. 11, lines 18-22) than a CA computer.

The Office Action relies on Fig. 1, parts 18 and 20 as disclosing "the storage device having stored therein an access code for indicating whether an individual is authorized *to temporarily access the CA computer*," as claimed in claim 1. The Office Action seems to assume that a method and system for accessing to application software *necessarily* implies a method and system for accessing a CA computer:

(1) "Wiedemer discloses a method and system for providing access to an application running on the user computer *and therefore* the system provides access to the computer (Fig. 1)."

(2) "The user has to have the right key to gain access to the data, which runs on the personal computer. As a result, the systems determines whether the individual is authorized to temporarily (charge per-use) access of the CA computer...."

These inferences are incorrect, unsupported, and misinterpret the reference. Access to a *commonly-accessible* computer is unrelated with the "pay-per-usage" arrangement of an *application program*, as the two are mutually exclusive. The Examiner's assumption is proved incorrect with a simple example. A customer at an Internet café or a Kinko's® could not use the invention of Wiedemer (carried on an "application diskette 14") without paying the café or the Kinko's® for access to the commonly-accessible computer. Wiedemer by itself would provide access *only* to the application program -- not the commonly-accessible computer. Thus, "a method and system for providing access to an application running on the user computer" does *not* imply "a method and system for providing an individual temporary access to a *commonly accessible* computer."

The Office Action cites additional portions of Wiedemer for the remaining limitations of claim 1 that suffer from the same initial flaws, ignoring or misinterpreting two basic facts of the reference: (1) Wiedemer does *not* disclose a commonly-accessible computer; and (2) Wiedemer discloses *only* a "pay-per-usage" feature of *application programs*. For example, the Office Action relies on col. 6, lines 16-55 of Wiedemer as disclosing the monitoring activity step and the bill generating step as essentially claimed in claim 1. However, even a cursory review of the recited portions of the reference shows

that Wiedemer is concerned with only monitoring the use of the *application program*, and *not* of the computer itself. Using the previous example of the Internet café or Kinko's®, a user can simply quit using the application program incorporating Wiedemer (which would *cease* the monitoring and billing of the application software), and continue using the same personal computer without being monitored or billed.

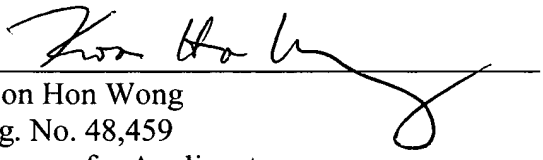
The Office Action admits that Wiedemer does not disclose "information comprising computing preferences of the individual" and "modifying the CA computer in accordance with the information," as claimed in claim 1. To overcome this deficiency, the Office Action attempts to combine Wiedemer with Barritz, stating that "[o]ne of ordinary skill in the art would have been motivated to do this because using walk-up computers effectively requires certain configuration settings and user-related information must be established." This reasoning is flawed because it ignores that Wiedemer is completely unrelated with public computers. As previously stated, Wiedemer already assumes full and unrestricted access to the computer, such as a user's own personal computer. The only concern in Wiedemer is with "pay-per-usage" of the application program. Barritz contains substantially disparate and unrelated teachings to Wiedemer, and thus, are improperly combined. At best, any suggestion that Wiedemer and Barritz discloses claimed subject matter is based on improper hindsight reasoning.

Accordingly, claim 1 believed to be patentably distinguishable and nonobvious over the combination of Wiedemer and Barritz. Although claims 11 and 16 are allowable in their own right, the arguments presented for claim 1 are believed to also apply to claims 11 and 16.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable Wiedemer and Barritz, and further in view of the Microsoft Computer Dictionary. It is believed that the mention of a Kawagashi and Peterson references in the Office Action are in error. Dependent claims 2-6, 8-10, 12-15 and 17-21 are believed to be allowable for at least the reasons given for claims 1, 11, and 16. Withdrawal of the rejection of claims 1-6 and 8-21 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

By: 

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